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President: Mr. Ping ..... (Gabon)

The meeting was called to order at 10.05 a.m.

Agenda item 28

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/59/302 (Parts I and II))

Draft resolution (A/59/L.2)

Mr. Berruga (Mexico) (*spoke in Spanish*): Mexico speaks from this international rostrum to reaffirm its rejection of the implementation of unilateral laws or measures imposing economic blockades against any nation and of the use of coercive measures without the authorization provided for in the Charter of the United Nations. Apart from their humanitarian consequences, such measures are contrary to international law and ultimately symbolize a gradual abandonment of diplomacy and dialogue as the way in which to resolve disputes among States.

As pointed out recently by the American scholar Robert Tucker,

> "Legitimacy arises from the conviction that State action proceeds within the ambit of the law, in two senses: first, that action issues from rightful authority, that is, from the political institution authorized to take it; and second, that it does not violate a legal or moral norm".

Mexico agrees with that statement and reiterates that any kind of political, economical or military sanctions imposed on States must emanate only from the decisions or recommendations of the Security Council or the General Assembly.

My delegation has rejected the economic, commercial and financial blockade imposed unilaterally against Cuba and has consistently supported all General Assembly resolutions regarding the need to put an end to it. Mexico is concerned that this kind of resolution, submitted to the Assembly year after year, is not having the intended transformative effect on reality. In other words, the majority position of the international community is being ignored, which is negatively affecting the purpose and usefulness of these exercises. In that way, one of the pillars of multilateralism — joint deliberations and the expression of State positions through the vote — is being seriously damaged. In the light of the current spirit of reform in the United Nations system — referred to by 141 delegations in the general debate — this situation must be addressed as a central concern of the international community.

Mexico has undertaken measures at the national level and has promoted actions at the regional level to counteract the extraterritorial effects of any foreign law that affects free trade and that violates international law to the detriment of any State, and we shall continue to do so. During the current session of the General Assembly, Mexico will renew for the thirteenth consecutive time its support for the draft resolution on

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lifting the economic blockade imposed by the United States against Cuba (A/59/L.2), because unilateral measures affecting State sovereignty and freedom of trade run counter to our foreign policy principles and to the spirit of the Charter.

For all those reasons, Mexico will once again vote in favour of the draft resolution.

Mr. Zhang Yishan (China) (*spoke in Chinese*): For 12 consecutive years, resolutions have been adopted in the General Assembly urging all countries to comply with the Charter of the United Nations and with the principles enshrined in the relevant international legal instruments and to repeal or invalidate all laws and measures the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation. Regrettably, the country concerned — which continues to act wilfully, to obstinately maintain the wrong position and to ignore the just demands of the international community — has failed to implement the relevant Assembly resolutions.

The embargo and the sanctions imposed by the United States against Cuba have continued for more than 40 years. The United States has claimed that their purpose is to enhance democracy, freedom and human rights in Cuba. But what are the realities?

First, by attempting to use embargoes and sanctions to force another country to give up its independently chosen development road — and even to overthrow the existing Government — the United States has gravely violated the purposes and principles of the United Nations Charter and the basic norms guiding current international relations. This in itself has distorted, mocked and violated the principles of democracy and freedom.

Secondly, the embargo and sanctions of an extraterritorial nature imposed by the United States against Cuba have violated international law and the principles, objectives and rules of international trade. They also run counter to the principles of free trade advocated by the United States itself.

Thirdly, the embargo and sanctions imposed by the United States against Cuba have seriously obstructed and constrained the Cuban people in their nation-building efforts to eradicate poverty, improve people's living standard and promote economic and social development. This poses a grave violation of the fundamental freedoms and human rights of the Cuban people, including the right to subsistence and development.

Fourthly, if the United States and Cuba were to change places, and if the United States were under an economic, trade and financial embargo imposed by other countries for many years, how would the United States feel? Would the United States still regard those countries' practices as acts aimed at enhancing its own democracy, freedom and human rights?

Currently, nearly 80 countries have suffered economic losses as a result of the embargo and sanctions imposed by the United States against Cuba. The international community is entitled to raise serious concerns over such embargoes and sanctions and to demand an immediate end to them.

The Chinese Government, which unwaveringly adheres to the purposes and principles of the Charter of the United Nations, advocates sovereign equality of States and non-interference in one another's internal affairs. We have made vigorous efforts for democracy and the rule of law in international relations. We firmly believe that countries should choose, according to their national conditions, their own political, economic and social systems and development modes. We are of the view that State-to-State conflicts and disputes should be solved through dialogue and cooperation on the basis of equality and mutual respect.

For the aforementioned reasons, the Chinese Government opposes the economic, commercial and financial embargoes and sanctions imposed by the United States against Cuba. We support the Cuban Government and people in their endeavours to safeguard national independence and State sovereignty. We hope that the United States Government will keep pace with the times, replace confrontation with dialogue, embargoes and sanctions with communication and exchange, and earnestly implement the relevant resolutions of the United Nations.

China, therefore, supports the draft resolution submitted by Cuba under the current agenda item.

Mr. Abdul Wahab Dolah (Malaysia): Malaysia remains fundamentally opposed to all forms of unilateral economic, commercial and financial sanctions and embargoes. Therefore, we once again join the rest of the international community in calling

for an immediate end to the embargo imposed by the United States on Cuba and its people.

Since its forty-seventh session the General Assembly has pronounced its rejection of the use of unilateral measures by one Member State to effect political reform in another, in this case the economic, commercial and financial embargo imposed by the United States against Cuba. The adoption of resolution 58/7 by the General Assembly on 4 November 2003, with 179 Member States voting in favour, has unambiguously reflected the wishes of an overwhelming majority of countries to reject the embargo and to call for it to be immediately terminated. We are confident that at the current session there will again be an overwhelming rejection of those unilateral measures.

The application of laws by the United States, in particular the Torricelli and Helms-Burton Acts, and measures such as those implemented since June 2004 following the recommendations of the Commission for Assistance to a Free Cuba are clearly intended to hurt Cuba and the Cuban people, including the most vulnerable — namely, children, women and the elderly. They are also clearly aimed at limiting Cuba's access to markets, capital, technology and investment, in order to exert pressure on Cuba to change its political and economic system or orientation. We view these as actions that are not consistent with the universally accepted principles of international law, the Charter of the United Nations, World Trade Organization principles and relevant United Nations resolutions. They are discriminatory in nature and undermine the principles of sovereign equality of States, fundamental human rights and the spirit of peaceful coexistence and good neighbourliness among States.

The United States embargo against Cuba is not only a violation of international law but, as confirmed by various reports, violates the right of the people of Cuba to life, to well-being and to development, without any distinction in respect to age, gender, race, religious belief, social situation or political ideology. The embargo has caused tremendous economic damage and has aggravated the plight of the Cuban people, more than two thirds of whom have lived all their lives under the cloud of the United States unilateral embargo and sanctions regime.

We appeal to the United States, a staunch advocate of free trade and good relations among nations, to respect the Charter of the United Nations and the norms and principles of international law. We call on the United States to rethink its overall approach towards Cuba and to evolve its policy from one of isolating its small neighbour to one of dialogue and accommodation. It is our fervent hope that, in the new spirit of the times, which promotes dialogue and understanding in a world of increasing interdependence and globalization, the United States would be able to evolve its policy on Cuba towards a more realistic orientation and to place its relationship with its neighbour on a new footing.

Therefore, we urge the United States to end the current policy and to engage in serious dialogue to resolve problems with Cuba.

Malaysia maintains excellent relations with both the United States and Cuba. Nevertheless, Malaysia once again reaffirms its commitment to respect for the fundamental principles of sovereign equality among States, non-interference in their internal affairs and freedom of international trade and navigation. We urge the international community to continue to exert serious efforts to bring about an end to the unilateral economic, commercial and financial embargo against Cuba.

In support of the principles of international law, the United Nations Charter and the promotion of freedom of trade, Malaysia, as in previous years, will vote in favour of draft resolution A/59/L.2.

Mr. Kumalo (South Africa): In the discussion of coercive economic measures, including extraterritorial laws, the Ministers of the Non-Aligned Movement in Durban in August 2004 condemned the use of such measures, with a view to preventing countries from exercising their right to decide, by their own free will, their own political, economic and social systems. The Ministers also called on all countries not to recognize unilateral extraterritorial laws that impose sanctions on other States and foreign companies.

South Africa views the continued imposition of the economic, commercial and financial embargo against the Republic of Cuba as a violation of the principles of sovereign equality of States and non-interference in the domestic affairs of sovereign States.

The action by the United States of America against the Republic of Cuba has lasted for almost 45 years. Yet, that long-standing economic, commercial

and financial embargo has been consistently rejected by a growing number of Member States to the point where the opposition to it has become almost unanimous. Indeed, I believe that the presence of such a large number of Member States in the Assembly Hall today and their participation in these deliberations are indications of their opposition to unilateral extraterritorial measures.

During this time, Member States have come to recognize the importance of remittances and have accepted the significant contribution remittances make to the receiving families in developing countries, as well as the role those remittances can play in the promotion of development in those countries. The value of remittances has thus been hailed in numerous United Nations resolutions, as well as other declarations, including the Monterrey Consensus of the International Conference on Financing for Development.

In recent months, we have learned more about the role that remittances can play in our quest to achieve the Millennium Development Goals. The potential role of those transfers from developed to developing countries was recently highlighted in two important reports: first, in September 2004, a report on innovative sources of financing for development (A/59/398, annex) containing a recommendation on remittances was considered at the summit of world leaders for Action Against Hunger and Poverty, organized by President Lula da Silva of Brazil. Secondly, in his note on innovative sources of financing for development (A/59/272), the Secretary-General highlighted the issue of remittances as contained in a preliminary summary of the soon-to-be released World Institute for Development Economics Research study on new sources of development finance. There have been several other similar reports focusing on the role remittances can play in promotion of development in developing countries.

Significantly, at a recent discussion in the Second Committee of a draft resolution on the international financial system and development (A/C.2/59/L.2), the United States delegation supported the role that remittances can play in promoting development. We would hope that that view would become widely accepted within the United States Administration, which has targeted remittances in the most recent tightening of its embargo against Cuba. By reducing the amount of, and placing further restrictions on, remittances Cuban Americans can send to their families back home, the United States has transformed an instrument for development into an instrument of punishment and coercion.

At both the thirteenth Summit Conference of Heads of State or Government of the Non-Aligned Movement (NAM), held in Kuala Lumpur in February 2003, and again at the fourteenth NAM Ministerial Meeting, held in Durban in August 2004, NAM heads of State or Government expressed their rejection of unilateralism, which is increasingly leading to the erosion and violation of international law, to the use and threat of use of force and to pressure and coercion by certain countries as a means to achieve their policy objectives. The NAM heads of State or Government also expressed their firm opposition to unilateral measures as a means of exerting pressure on developing countries as such measures are contrary to international law, international humanitarian law, the United Nations Charter and the norms and principles governing peaceful relations among States. They and their ministers stated specifically that the Helms-Burton Law and the D'Amato-Kennedy Act constitute flagrant violations of international law.

South Africa is a country committed to working towards a better world for all, one in which all nations coexist peacefully. The achievement of such peaceful coexistence requires that all nations adhere to the rule of law, including international law. The need to respect international law in the conduct of international relations has been recognized by most members of this body, as has been evidenced by the growing support for the draft resolution on this item. In the 13 years that we, the Member States of the United Nations, have been considering this item, support has grown steadily, from 59 Member States opposing the United States embargo on Cuba in 1992 to 179 in 2003.

South Africa will again support the draft resolution before us today (A/59/L.2). We do so because the relentless and unilateral embargo has caused untold suffering to the people of Cuba. Considering the impact that the embargo has had on the everyday life of the people of Cuba, it is no surprise to see that the overwhelming majority of Member States are here today to join with everyone else in supporting the Cuban people.

Mr. Nell (Jamaica): We associate ourselves with the statement that will be made later on by the

representative of Qatar on behalf of the Group of 77 and China.

In view of the importance of this issue in relation to the situation in the Caribbean, I am speaking this morning on behalf of the member States of the Caribbean Community (CARICOM) to reaffirm our support for ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

The provisions of the United Nations Charter call for respect for the sovereign equality of States, non-interference in their internal affairs, the right of peoples to self-determination, the peaceful settlement of disputes and the maintenance of friendly relations among States. CARICOM attaches great importance to respect for those principles, which are binding obligations for Member States. We therefore oppose the imposition of unilateral punitive measures, especially where they involve the extraterritorial application of legislation that violates international law and restricts freedom of trade and navigation and the sovereignty and freedom of States. All of that has a particular impact on the situation in the Caribbean, where the United States embargo inhibits the development of normal economic relations, distorts trade and investment flows and impedes business opportunities among neighbouring States.

For CARICOM, Cuba is an important partner in our Caribbean relations and a country with which we have well-established programmes of cooperation and ties of friendship. In our view, the Republic of Cuba threatens no one. We respect its sovereign rights and support its full integration into our system of hemispheric relations.

The embargo imposed against Cuba has gone on for far too long and serves no other purpose than to preserve a state of tension between two neighbouring countries, resulting only in the imposition of untold hardship and suffering on the people of Cuba. Regrettably, during this year, further measures were introduced to tighten the embargo in relation to travel and financial transactions. It is all the more regrettable that those measures are taking effect at a critical time for the Cuban people, who have suffered so much from the devastation caused by two hurricanes that struck the island in recent months. Those disasters have underlined the need for regional cooperation and solidarity in the face of their economic and humanitarian consequences. It also makes it even more imperative that the punitive measures that are having such detrimental effects on the welfare of the Cuban people should be terminated.

CARICOM shares long-established and friendly relations with the United States of America, which we greatly value. In that spirit, we urge its Government to respect the verdict of the international community to bring an end to the embargo and to engage in constructive dialogue and the normalization of relations with Cuba. Such a step would remove a source of tension and conflict and improve the prospects for peace, development and cooperation within the Americas.

Our CARICOM delegations support the content of the draft resolution that is before the General Assembly and we will vote in support of its adoption.

Mr. Le Luong Minh (Viet Nam): The Vietnamese delegation would like to thank the Secretary-General for his report entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", contained in document A/59/302. We warmly welcome the presence of Mr. Felipe Pérez Roque, Minister for Foreign Affairs of Cuba, at this meeting of the General Assembly. My delegation wishes to associate itself with the statement made by the delegation of Qatar on behalf of the Group of 77 and China.

For nearly half a century, the United States has been carrying out an embargo and blockade measures against its neighbour Cuba. Over the past 13 years, those embargo and blockade measures have been further tightened by the promulgation and implementation of the Helms-Burton Law and the Torricelli Act. Considering that situation a serious violation of the Charter and the principles of international law, free trade and navigation, the General Assembly has, over those past 13 years, adopted consecutive resolutions by overwhelming majorities. The most recent such resolution was resolution 58/7, adopted at its fifty-eighth session with 179 affirmative votes, calling for an end to the economic, commercial and financial embargo imposed by the United States against Cuba. As reflected in the report of the Secretary-General, it is the almost unanimous view of the international community that implementation of extraterritorial legislation such as

the Helms-Burton Law is unacceptable and must be rejected.

The economic, commercial and financial embargo imposed by the United States against Cuba has lasted too long. It is indeed the longest embargo in history. We cannot agree more with what was said in the statement made on behalf of the Group of 77 and China: this embargo serves no other purpose than to preserve tension between two neighbouring countries and impose untold hardship and suffering on the people of Cuba, especially women and children.

We note with great concern the report by the Government of Cuba that the direct damages endured by the Cuban people due to the implementation of the embargo represent about 2.5 times the gross domestic product of Cuba in 2003. We further express our concern that while repeatedly refusing to end the embargo, as demanded in the 13 Assembly resolutions, the United States has incessantly introduced additional measures such as restrictions on travel and the sale of life-saving drugs, to mention a few, causing further hardship and suffering to the Cuban people and seriously hindering Cuba's economic, cultural and social development.

As a nation that has suffered greatly from such embargoes and blockades, and proceeding from its fundamental foreign policy of respect for the legitimate right of each nation to choose its own social and political system and its own path of development, Viet Nam opposes any unilateral embargo and blockade imposed by one State on any other. We have supported all the 13 Assembly resolutions demanding that the United States end its economic, commercial and financial embargo against Cuba. We are ready to support the draft resolution of the same nature contained in document A/59/L.2. We hold that the United Nations should undertake early and concrete measures and initiatives to ensure the implementation of all the resolutions adopted. We wish to reaffirm our view that the differences between the United States and Cuba, two neighbouring countries, should be resolved through dialogue and negotiations in a spirit of respect for each other's independence and sovereignty.

We would once again like to extend to the people of Cuba our sentiments of sincere friendship and solidarity and our commitment to join other friendly nations in assisting them to overcome the hardship and suffering resulting from this unjust embargo.

Mr. Khaikhoun (Lao People's Democratic Republic) (*spoke in French*): It has been more than four decades since the economic, commercial and financial blockade was first imposed on the Republic of Cuba by the Government of the United States of America. We profoundly regret the fact that this blockade continues to engender tensions in the relations between the two neighbouring countries. In our opinion, it is time that those two countries enter into serious negotiations aimed at finding a mutually acceptable solution as early as possible.

In today's world of multifaceted cooperation among States, it is obvious that unilateral and discriminatory trade practices are unjustified. In fact, the extraterritorial application of a country's domestic laws clearly runs counter to the principles and objectives of the Charter of the United Nations. Under the relevant resolutions of the General Assembly, a State Member must not promulgate or implement laws, regulations or measures whose extraterritorial effects would affect the sovereignty of other States Members or freedom of trade.

The sovereign right of every nation to participate freely in the international financial and trade systems is sacred. No country has the right to interfere in the internal affairs of other countries, notwithstanding their different social and political systems. As a sovereign and independent nation, the Republic of Cuba has the right to choose its own political system and model of development. So that it can reduce poverty and achieve sustainable development, Cuba must have the opportunity to maintain and promote trade relations with all countries throughout the world. The international community has the duty to provide assistance and support to Cuba and its heroic people in their vigorous efforts to promote their economic development.

The Lao People's Democratic Republic, together with the overwhelming majority of Member States, will continue to work to put an end to the economic, financial and commercial embargo against Cuba. That policy — which is completely obsolete and contrary to international law — has not benefited either party thus far. The Republic of Cuba is a Member of the United Nations, and, as Members ourselves, we must do everything possible to help that country recover its legitimate right to be integrated into the globalized world economy.

It is in that spirit that my Government will vote in favour of the draft resolution contained in document A/59/L.2.

Mr. Ismail (Sudan) (*spoke in Arabic*): On the eve of its sixtieth anniversary, the United Nations continues to advocate multilateralism, respect for the collective will of nations and implementation of decisions adopted by the international community. Rejection of the unilateral measures imposed by the United States of America against Cuba is essential, particularly at this time.

The international community has been engaged in a long process of promoting respect for the principles of the Charter, for the spirit and values of fraternity, justice, equality, cooperation among States and for consolidation of States' respect for the choices of peoples. That process has left its mark on our societies in its early historical phases by entrenching the rule of law and achieving social and political justice. Those are the parameters that enable us to assess a society's respect for common rights, freedom of choice of others, legality and social justice — rights guaranteed to everyone under international law.

For 13 consecutive years, the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" has remained on the agenda of the General Assembly. The words "necessity of ending" undoubtedly have legal weight; they firmly reflect unanimity and the collective will of Member States. The General Assembly, by adopting the draft resolutions submitted under this item during that period, has constantly reaffirmed the right of peoples to self-determination. It has called upon all Member States not to implement or accept unilateral measures or decisions by one State that contradict the Charter and the principles of good-neighbourliness and that by necessity have extraterritorial effects.

The number of relevant resolutions adopted by the Assembly and the broad support enjoyed by friendly Cuba are the best proof that the Cuban question is just. The fact that 173 States voted in favour of this draft resolution on behalf of Cuba during the Assembly's previous session demonstrated that the international community is becoming increasingly aware of the dangers involved in the imposition of such sanctions against a Member State without a legal basis.

Cuba has demonstrated that it is an active member of the international community. It continues to participate in various forums through multilateralism, chosen by everyone to resolve problems and to overcome differences and obstacles.

My country still suffers from the effects of the unilateral economic sanctions that were also imposed by the United States in November 1997 and that were renewed every year. It is regrettable that a great Power has resorted to such unilateral and legally unjustified measures, whose only objective is to apply political pressure on the Government of the Sudan, in flagrant violation of the United Nations Charter.

The Sudan rejects, as a matter of established principle, the commercial, financial and economic embargo imposed by the United States of America against Cuba, and we will vote in favour of the draft resolution submitted by Cuba and entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". We urge all States to vote in favour of the draft resolution to express strongly their rejection of such unilateral measures and decisions, which run counter to international law and the Charter.

Mr. Mahiga (United Republic of Tanzania): It has been 13 years since this agenda item first came before the Assembly for deliberation. I would like to join previous speakers in reaffirming my delegation's support for the draft resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba (A/59/L.2) — an embargo which has lasted for 40 years. Our principled position is based on international law and is an expression of our solidarity with the people of Cuba, who have been the main victims of the embargo.

Tanzania firmly believes that the imposition of the embargo against Cuba more than four decades ago is a serious violation not only of the fundamental principles of the Charter and international law, but also of the freedom of international trade. The situation was made worse by the passing in 1991 of the Torricelli Act and in 1996 of the Helms-Burton Law, each of which was intended to completely isolate Cuba from international trade and to cripple its economy, with severe consequences for the daily lives of people of all ages.

In addition to breaching the sovereignty of third-party States, as well as international law, the extraterritorial aspect of the embargo, as institutionalized by the Torricelli and Helms-Burton legislation, has exacerbated the devastating damage already done to the economy of Cuba over the past 10 years by disrupting trade relations between Cuba and third-party nations. The embargo has seriously affected Cuba's economic and social sectors. It is estimated that as a direct result of the embargo over the past 45 years, Cuba has suffered a staggering loss of more than $79 billion.

It is very encouraging and praiseworthy to note that despite all those odds, and the fact that it has been working under very difficult conditions, Cuba has managed to develop a world-class health and educational system, which it has generously shared with other developing countries. Tanzania has not only benefited from excellent training opportunities in various fields provided by Cuba, but has also, on a continuous basis, received advanced expertise in the fields of medicine. In addition to regular teams of doctors, Tanzania has received from Cuba this year a considerable number of doctors who will specifically provide much-needed services in hospitals in the rural areas of my country.

These world-class accomplishments in the social field, achieved in the face of the persistent embargo, have been made at costly sacrifice and are a remarkable demonstration of courage and fortitude by Cuba. It is abundantly evident that Cuba's achievements in health and education, as well as its progress in other sectors of the economy and human endeavour, would have been greater if there had been no embargo, and Cuba would have been a more prosperous nation.

At a time when the international community is rallying around the Millennium Declaration and endeavouring to achieve the Millennium Development Goals, Cuba has admirably accomplished most of those Goals. It has gone further and demonstrated its willingness to share its experiences with others. Cuba, too, should be entitled to economic development and prosperity. Justice, human prosperity and human rights should remain indivisible and should be enjoyed unconditionally by all.

Tanzania believes that it is within the realm of political possibility to find a way to lift the embargo and that international opportunities are available to that end, including through the United Nations.

We appeal to all States to refrain from applying laws, and measures — and to lift any such existing laws — that infringe on Cuba's freedom of trade and navigation, in accordance with the Charter of the United Nations.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I would like to thank you, Mr. President, for giving me this opportunity to speak on behalf of the Group of 77 and China on the agenda item entitled "The necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The Group of 77 and China attaches great importance to this issue, as it concerns the imposition of extraterritorial measures that impinge on national sovereignty, thereby undermining the principles enshrined in the Charter and international law, while also severely curtailing freedom of trade and investment.

The Group of 77 and China calls for an immediate end to the embargo. Such appeals were made at the Havana South Summit. They have also been made in other Group of 77 declarations, as well as in the relevant United Nations resolutions.

We note with appreciation the positive support of the majority of the membership of the United Nations on this issue. We therefore support the appeal made by the Secretary-General in his report (A/59/302) for an end to the economic, commercial and financial embargo. In this context, the Group of 77 and China would like to reiterate the call made at the South Summit with regard to the following points.

First, the developed countries must eliminate laws and regulations that have adverse extraterritorial effects, as well as other unilateral economic coercive measures, because they are inconsistent with the principles of international law and of the Charter, as well as with the principles of the multilateral trading system.

Secondly, the South Summit has expressed its concern about the impact of economic sanctions on the civilian population and development capacities in the targeted countries. The Group of 77 and China therefore urges the international community to exhaust all peaceful methods before resorting to sanctions, which should be considered only as a last resort.

If necessary, such sanctions should be established only in strict conformity with the Charter, with clear objectives and a clear time frame being set out and with provision made for regular review. Precise conditions for their lifting should also be established, and they should never be used as a form of punishment or retribution.

The Group of 77 would like to recall the Summit's sincere appeal to the United States Government to immediately lift the economic embargo that has been imposed on the Republic of Cuba since 1960. This embargo has lasted too long and serves no other purpose than that of maintaining tension between two neighbouring countries and imposing untold hardship and suffering on the Cuban people, especially women and children.

Fifthly, the G-77 is convinced that the replacement of the embargo with better dialogue and cooperation will greatly contribute not only to the removal of tension but also to the promotion of meaningful exchange and partnership between two countries whose destinies are linked by history and geography.

As in the past, the G-77 and China will support the draft resolution before us, and we urge all Member States to join us in supporting it.

Mr. Musambachime (Zambia): Mr. President, allow me to take this opportunity to congratulate you and the other members of the Bureau for the able manner in which you are presiding over this session. It is a source of great pride and honour for us to see you, Mr. President, a distinguished son of Gabon, a brother nation to Zambia, doing such a commendable job.

I have taken the floor to register my country's appreciation of the report of the Secretary-General contained in document A/59/302 entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", which in many ways expresses the views of the international community on the matter.

My delegation aligns itself with and fully endorses the statement just given by the representative of Qatar on behalf of the Group of 77 and China. However, I wish to make a few observations on behalf of my country.

As the Assembly is aware, it is now more than four decades that the people of Cuba have been living under the economic, commercial and financial embargo imposed by the United States. During this period, this Assembly has adopted resolutions calling for its lifting, underscoring the humanitarian consequences of the embargo on the people of Cuba.

My delegation has voted in support of all previous resolutions on this item in order to underscore our respect for the provisions of international law, as contained in the Charter of the United Nations. Accordingly, my delegation will vote again in favour of draft resolution A/59/L.2, to be adopted on this item. We appeal to other delegations to support this draft resolution.

The world has changed since 1959. Just as there is a need to align with the changed circumstances in international relations since then, it is necessary to review the effectiveness of embargoes and sanctions. My delegation feels that the embargo imposed on Cuba is a breach of international law and a violation of the principles of the United Nations Charter. In this regard, my delegation finds the extra-territorial reach of the Helms-Burton and Torricelli Acts unacceptable. These Acts infringe upon the sovereignty of other States and impede international navigation and free trade as embodied in the provisions of the World Trade Organization.

My delegation wishes to appeal to all United Nations Member States to support the noble principles that are enshrined in the Charter by voting unanimously for the immediate lifting of the embargo. Given the importance of lifting this embargo, my delegation supports the inclusion of this item in the agenda of the sixtieth session of the Assembly in order to allow the international community to be seized with the issue until it is finally resolved.

Mr. Garza (United States of America) (*spoke in Spanish*): The United States trade embargo on Cuba is a bilateral issue that should not come before the General Assembly.

The aim of the draft resolution is to blame the United States for the communist regime's failed economic policies and to divert attention from its human rights record. Arguments to the effect that the United States is denying Cuba access to food and medicine are baseless. Since 1992, the United States has licensed over $1 billion in sales and donations of medicine and medical equipment, with 80 per cent of that figure in the form of donations. Moreover, since

2001, the United States Government has licensed the export of over $5 billion worth of agricultural commodities. In that same period, over $700 million in agricultural products have actually been exported to Cuba.

Let us not forget that the United States is the single largest source of humanitarian assistance to Cuba. Remittances from people in the United States to Cuba have been estimated at close to $1 billion annually. It is also manifestly true that Cuba can, and does, in fact buy everything it needs — an estimated $4.3 billion in imports yearly — from nations other than the United States.

Let there be no doubt. If Cubans are jobless, if they are hungry or lack medical care — as the regime admits — it is owing to the failings of the current Government. The Government has shown no interest whatsoever in implementing any economic or political reform that would lead to democratic change and a free-market economy. A case in point: as of 1 October, the Cuban Government is no longer issuing new licenses for 40 different categories of self-employment. That means that the Government will no longer allow a person to run a small restaurant out of his or her home or even to perform as a clown at a children's party. That is absurd. Recently, the regime imposed confiscatory penalties on the use of dollars in Cuba, reversing a decade-old policy. That kind of economic mismanagement is the reason why a country that 45 years ago had a per capita income equal to that of Spain is now one of Latin America's most economically desperate countries.

The Cuban Government is not a victim as it contends, rather it is a tyrant, aggressively punishing anyone who dares to have a differing opinion. Castro has steadfastly refused to allow any kind of political opening and continues to deny Cubans the human rights and fundamental freedoms set forth in the Universal Declaration of Human Rights.

In March 2002, 75 members of the opposition, including independent journalists, economists, trade unionists and human rights advocates, were sentenced to an average of 20 years in prison. Such measures were brutal even by the Cuban regime's customary standards. The regime continues to harass even those who have been released, subjecting them almost daily to hours-long interrogations. For nearly two years, Cuba has defied the very notion of respecting the will of the High Commissioner for Human Rights by refusing to permit a visit by his personal representative.

As in the past, the Cuban Government will once again portray support for this draft resolution as support for its repressive policies. We, for one, cannot support an economic opening with a country with such an abysmal record on economic and political issues. We will be voting against this draft resolution and we urge all delegations to do the same.

The President (*spoke in French*): Before I give the floor to the next speaker, I should like to propose that we now close the list of speakers for the debate on this item.

It was so decided.

Mr. Kwaw Win (Myanmar): I am taking the floor to express our deep concern on the continuation of the embargo imposed against Cuba by the United States. In that regard, my delegation also wishes to associate itself with the statement made by Qatar on behalf of the Group of 77 and China.

Both as a matter of principle and in our capacity as a country affected by unilateral sanctions imposed by the United States of America, Myanmar fully sympathizes with the Cuban people and understands the extent of the hardship and suffering caused by the embargo on the people of Cuba, particularly women and children. The will of the international community is clearly expressed every year through the adoption, with overwhelming majorities, of the resolution calling for an end to the embargo. Regrettably, the United States Administration has not responded to that call, but has even tightened measures against Cuba.

Myanmar shares the view that the embargo does not serve any purpose. It does not benefit either of those countries or peoples. It jeopardizes the development efforts of Cuba. It denies the Cuban people the right to food, the right to development and the right to free trade and shipping. It prevents cultural and social exchanges and interaction between people in Cuba and the United States. It limits the ability of the private sector to engage in mutually beneficial transactions.

As a principled member of the international community, Myanmar fully subscribes to the purposes and principles of the Charter of the United Nations, in particular the principles of non-interference in the

internal affairs of another country and the sovereign equality of nations. My delegation also firmly believes that it is the inalienable right of all States to choose their own political and economic systems based on the wishes of the people. We strongly hold the view that the embargo against Cuba by the United States not only contravenes the provisions of the United Nations Charter, but also is contrary to international law. My delegation finds particularly objectionable those extraterritorial measures that infringe on the sovereign rights of other States.

In a globalized world, it is counterproductive to set artificial barriers between countries. It is not conducive to achieving better understanding among peoples of the world. Myanmar firmly believes that only through dialogue and cooperation can countries nurture good neighbourly relations, ensure peace and stability, and promote common interests.

My delegation therefore reiterates its call for the immediate end of the embargo by the United States against Cuba. As a country that has consistently supported the draft resolution calling for the end of the embargo imposed by the United States against Cuba, my delegation will vote again this year in favour of draft resolution A/59/L.2.

Mr. Toro Jimenéz (Bolivarian Republic of Venezuela) (*spoke in Spanish*): First of all I wish to convey a cordial and warm greeting to the Minister for Foreign Affairs of the Republic of Cuba, who is present today — both on my own behalf and on the behalf of the Bolivarian Republic of Venezuela.

The Bolivarian Republic of Venezuela has firmly and repeatedly rejected the promulgation and application of laws and regulatory arrangements with extraterritorial effects, which amount to a disregard for the sovereignty of other States.

The blockade imposed on Cuba, which is coercive and extraterritorial in nature, constitutes a unilateral act of force that contravenes the international legal regime that governs economic and trade exchanges among countries.

Commander Che Guevara, speaking at the General Assembly in 1964, denounced the political character of the imperialist domination of the blockade and its intensification through measures imposed by the United States Department of Commerce that totally prohibited the sale of medicine and food to Cuba. With respect to that, Che Guevara said that insofar as Cuba was concerned, the United States of America had not implemented the explicit recommendations of the United Nations Conference on Trade and Development, held that very year in Geneva, and had also recently prohibited the sale of medicines to Cuba. By doing so, it had divested itself, once and for all, of the mask of humanitarianism with which it attempted to disguise the aggressive nature of its blockade against the people of Cuba.

Those words, pronounced by Commander Che Guevara, are a tangible demonstration of the imperialist nature of the blockade. The purpose has been to isolate, suffocate and immobilize Cuba, with the impossible hope of bringing this heroic people to their knees and inducing them to give up their resolve to be sovereign and independent and to determine the course of their own history. From that date onward, the embargo has been intensified, broadened and deepened by means of legal instruments that seek to apply to all nations of the world that maintain commercial relations with Cuba.

The collapse of the Soviet Union and Eastern Europe was used by right-wing sectors in the United States to promote those legal instruments. The Torricelli Act, adopted by the United States Congress and signed by former President George Bush on 23 October 1992, and the Helms-Burton Act adopted on 12 March 1996 and signed by former President William J. Clinton — also known as the Cuban Liberty and Democratic Solidarity Act of 1996, or the Libertad Act — were yet further steps by the United States towards building a universal empire based in Washington.

Senator Torricelli himself said this shamelessly in paragraph six of section two of his draft law, where he said that the collapse of communism in the former Soviet Union and Eastern Europe allowed the United States and the democratic community an unprecedented opportunity to promote a peaceful transition towards democracy in Cuba. That draft law had an introduction that explained the political purpose of the law: to promote a peaceful transition to democracy in Cuba by means of applying appropriate pressure on the Cuban Government and support for the Cuban people.

At the same time, the United States was intensifying the development of new weapons and the deployment of troops around the world, trying to

impose military rule and a global empire aimed at subjecting all countries to the same conduct and the same political and ideological thinking.

The attempt to crush the valiant and resolved Cuban people through this kind of aggression has only led to an increase in the Cuban people's awareness and has consolidated their revolution. This is the real result of the blockade. Moreover, the international community has understood this, and, within this international forum, has voted overwhelmingly in favour of resolutions in support of this reality, beginning in 1991. The votes in favour of the resolution increased in 2003 to 179.

In spite of this, the United States Government, behind the international community's back, instead of suspending the blockade, has intensified it with other measures that now directly undermine family relations by restricting travel to Cuba by American and Cuban citizens residing in the United States. Those further measures contravene human rights on a global level. The health system, one of the pillars of the Cuban revolution, has been subjected to blockade through illicit trading practices, preventing the sale by private companies of the technology necessary to maintain in working order the instruments for the diagnosis and treatment of patients. The same unlawful practices have been applied in education, sport and culture.

My delegation, in solidarity with the Government and people of Cuba, reaffirms its position of rejecting the promulgation and application of any kind of law or regulation with extraterritorial effects that infringe on the sovereignty of other States. Since this situation has not come to an end, we will vote in favour of the draft resolution that has been submitted for the consideration of this Assembly.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): I would like to begin by associating myself with the statement delivered by the delegation of Qatar on behalf of the Group of 77 and China.

The purposes and principles of the United Nations Charter underscore the right of States to exercise their sovereignty over their own territory and establish the need for non-interference in their internal affairs. All United Nations Member States, especially the major Powers, are expected to respect the Charter, which is the constitution of this Organization and its principal frame of reference.

The embargo imposed on Cuba for over four decades has subjected the country to all forms of economic and social losses. It has entrenched the suffering of the Cuban people, especially children and the elderly. The embargo has also affected the Cuban people's intensive efforts to achieve well-being and prosperity.

My delegation commends Cuba's continued efforts to conduct a constructive dialogue with the United States in order to settle all issues of dispute between the two countries on the basis of equality and sovereignty, mutual respect, non-interference in the internal affairs of States and respect for the principles and purposes of the United Nations Charter, as well as principles of good neighbourliness. My delegation believes that the normalization of ties between the United States and Cuba is in the interest of the peoples of the two countries. We underscore the peoples' right to select their political, economic, social and cultural systems of their own free will and in accordance with international law. The increasing support of the international community for an end to this embargo on Cuba is an affirmation of the need to respect the political, economic and social systems that every country selects of its own will and in light of its own national interests.

In that regard, we would like to recall the final document of the Conference of Heads of State or Government of the Non-Aligned Movement held in Kuala Lumpur, in which the participants again called upon the United States to end the trade, economic and financial embargo against Cuba. They also expressed concern over the widening of the extraterritorial nature of the embargo on Cuba and the continuous new legislative measures geared to intensifying it.

We would also like to note the declaration adopted by developing countries at the Group of 77 and China South Summit, held in Havana in 2000, in which the participants categorically rejected laws and regulations with extraterritorial impact and all other forms of coercive economic measures.

The Summit expressed grave concerns about the impact of economic sanctions on the development capabilities of the countries targeted. It made a special appeal in the name of all the leaders of the developing countries for the immediate lifting of the embargo. The international community has often expressed its rejection of the sanctions that have been unilaterally

imposed on Cuba and of their extension by the so-called Helms-Burton Act of the United States. That Act extends the jurisdiction of national legislation and encroaches on the sovereignty of other States that deal with Cuba. That is incompatible with the principles of the sovereign equality of States and of international law.

Experience has shown that, for the most part, sanctions regimes have caused enormous material damage and major economic loss for the civilian inhabitants of the countries targeted. In this regard, my delegation hopes that all forms of the embargo imposed by the United States against Cuba will be lifted and that the international community's appeals, as expressed by the General Assembly and others, will be adequately responded to by the United States. On that basis, Syria will vote in favour of the draft resolution.

Mr. Moleko (Lesotho): Lesotho fully associates itself with and endorses the statement by the Permanent Representative of Qatar on behalf of the Group of 77 and China.

Over the past 12 years, the Assembly has overwhelmingly supported the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". The support that has been expressed by Member States in their statements during this meeting of the Assembly truly reflects the fact that the unilateral embargo and new measures aimed at tightening the blockade imposed by the United States of America against Cuba are contrary to the principles of international law, including those enshrined in the Charter, particularly the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation.

In my delegation's view, it is the sovereign right of the people of any country, including Cuba, to determine the system of government and the model of development most appropriate for their country. It is very unfortunate that, in order to exercise that right, millions of people in Cuba have to endure untold misery caused by the economic blockade.

My delegation regards all coercive measures, whether economic, political or otherwise, by one State against another, as dangerous and thus inadmissible. Such measures can never enhance, but only compromise, peace, security and stability. The Government of Lesotho therefore strongly opposes the economic, commercial and financial embargo imposed by the United States of America against Cuba and urges the lifting of the economic blockade. We will vote in favour of draft resolution A/59/L.2.

Mr. Jenie (Indonesia): The General Assembly once again finds itself addressing the issue of the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba. In this regard, Indonesia wishes to associate itself with the statement made by the Permanent Representative of Qatar on behalf of the Group of 77 and China.

The embargo and sanctions imposed against Cuba have been in effect for more than 40 consecutive years. It is regrettable, therefore, to note that 12 years after the General Assembly adopted resolution 47/19, no significant measures have been taken towards lifting the embargo.

It is a matter of principle that Indonesia has consistently expressed its opposition to the promulgation and application by one Member State of laws and measures whose extraterritorial effects impinge on the sovereignty of other Member States. These measures are contrary to the provisions of the Charter, which embodies the spirit of multilateralism.

Indonesia recognizes the principles of the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation as the underpinnings of multilateralism. These principles are enshrined in many international legal instruments, none of which is being upheld or advanced by the embargo imposed unilaterally on Cuba.

After four decades, we are facing an unwanted stalemate, despite the increasing opposition to the embargo. The fact of the matter is that the embargo does more harm than good. The embargo serves little purpose; it merely perpetuates a lose-lose situation.

What the embargo amounts to is economic warfare that causes considerable collateral damage. It harms economically those whom it is intended to benefit politically. The people of Cuba are its main victims. Innocent of all political charges, their futures and human rights are nevertheless being sacrificed. Indeed, they are being unjustifiably victimized by the embargo on a daily basis.

It is also true that in this age of increasing interdependence, globalization and universal acceptance of the Millennium Declaration, with its goal of global partnership for development, the embargo lacks a legitimate frame of reference. In this regard, we join with those who have spoken in support of the need to bring to an end the economic, commercial and financial embargo imposed against Cuba.

In strong support of the principles of the United Nations Charter and of international law, including the freedom of international trade and navigation, Indonesia will again vote in favour of the draft resolution.

Mr. Andjaba (Namibia): I should like at the outset to associate myself with the statement made by the representative of Qatar on behalf of the Group of 77 and China.

The international community is still witnessing the continuous suffering of the people of Cuba as a result of the unjust economic, commercial and financial embargo imposed on them by the United States Government. That unilateral blockade continues despite repeated calls by the Assembly to bring it to an end. What is even more worrying is the fact that the blockade has been further strengthened under the current United States administration, notwithstanding the negative effects and human suffering experienced by the people of Cuba, particularly women, children and the elderly. Instead of promoting good relations with its neighbour, the United States Government continues to pursue a hostile policy against the Government and the people of Cuba.

The embargo against Cuba runs counter to the letter and spirit of the United Nations Charter, international law and the Millennium Declaration. The blockade continues to cause damage not only to the Cuban economy, but also to the social and cultural development of Cuban society, and it has deprived the Cuban people of the opportunities and benefits derived from free trade and globalization. The embargo directly violates the basic human rights and fundamental freedoms not only of the people of Cuba, but also of the citizens of the United States who would like to have personal and business contacts with the people of Cuba.

Namibia strongly opposes the Torricelli Act and the Helms-Burton Act, which have extraterritorial effect and violate the State sovereignty of Cuba and the principles and rules of the international trade system.

It is incomprehensible that the United States Government — which is well known for its advocacy of human rights and for its adherence to the rule of law — denies the people of Cuba the right to food, medicine and education because of its political ambitions. It is unfair for a country to impose its own philosophy on another country against its will. Cuba poses no threat or danger to the United States. We therefore reiterate that the policy of the United States towards Cuba is inconsistent with the purposes and principles of the Charter of the United Nations.

For the past 12 consecutive years, the General Assembly has expressed its opposition to these unilateral sanctions through its resolutions. But those resolutions have not been implemented. That makes one wonder why a double standard is applied in the implementation of United Nations resolutions. As a result, the people of Cuba continue to suffer under the blockade imposed by the United States. The draft resolution before us today is a reaffirmation of the Cuban people's inalienable rights to participate in free trade and international navigation.

The Government of the Republic of Namibia continues to uphold the principles of the peaceful coexistence of nations, free trade and non-interference in the internal affairs of States. We therefore reiterate our call for the immediate and unconditional lifting of the economic, commercial and financial embargo against Cuba. It is on that basis that my delegation will vote in favour of the draft resolution (A/59/L.2) before us.

Mr. Mirafzal (Islamic Republic of Iran): I should like at the outset to thank the Secretary-General for his report (A/59/302 (Parts I and II)) under the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba" and to express our deep disappointment over the continuing embargo against that country. I would also like to associate myself with the statement made by the Permanent Representative of Qatar on behalf of the Group of 77 and China.

Historically, unilateral economic measures used as a means of political and economic coercion against developing countries have run counter to the spirit of the United Nations Charter, which promotes solidarity,

cooperation and friendly relations among countries and nations. Unlike our endeavours to create an enabling environment, such measures contravene all laws, principles and norms that govern international relations in the field of global trade and that promote increased commercial and economic interactions among countries.

The use of unilateral measures as a means of political and economic coercion against developing countries has been condemned through decisions and resolutions adopted by various bodies of the United Nations, particularly the General Assembly and the Economic and Social Council. The international community should become more vocal about the need to repeal such measures and to prevent similar actions.

The adoption and implementation of unilateral coercive measures and the use of embargoes prevent the full achievement of economic and social development by the people of the affected countries, particularly women and children, and negatively affect their well-being. They create obstacles to sustainable development and the full enjoyment of human rights, including the right of all people to a standard of living that is adequate for their health and well-being and guarantees their right to food, medical care and necessary social services. We must ensure that food and medicine are not used as tools to apply political pressure.

It has now been established that unilateral economic coercive measures jeopardize the legitimate economic interests of the targeted developing countries. The United Nations system and other relevant international and multilateral organizations should consolidate their efforts to create and strengthen a supportive international economic environment that can provide all countries with equal opportunities to benefit from international economic, financial and trade systems. They should also consider ways and means to compensate for the losses of countries targeted by those who resort to such unilateral measures.

In showing our full solidarity with the people of Cuba, my delegation not only will vote in favour of the draft resolution (A/59/L.2) submitted under this item, but also asks the international community to redouble its efforts to promote respect for international law and to create a just multilateral environment that is conducive to dialogue — an environment free from sanctions and embargoes.

Mr. Cherginets (Belarus) (*spoke in Russian*): Today, the General Assembly is once again considering the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". Despite repeated appeals in the past, the Government of the United States has still not taken any steps to accommodate the wishes of the international community. Moreover, six months ago, the United States authorities introduced new measures to tighten the embargo against that sovereign and independent State.

We have been following this issue very closely for another reason: the Republic of Belarus — a country that was a founding Member of the United Nations, lost one out of every three of its citizens in the struggle against fascism and is suffering more than any other country from the effects of the accident at the Chernobyl nuclear plant — is being threatened by the same kind of blockade. We must all realize and state firmly that no State in the world has the right to punish entire peoples. It is time for that mentality to become a thing of the past. We cannot help asking why this lofty world forum, the United Nations, considers questions of poverty eradication and high infant mortality rates but fails to show consistency by preventing the sufferings of entire peoples.

Dr. Spock once said that no war, not even the most victorious war, was worth even one tear of one child. How many children's tears are flowing today in those countries on which the United States has imposed a blockade? I would like to appeal to participants in today's meeting to determine which country the United States has helped through its imposition of an economic, commercial and financial blockade. There have been no cases of even one people that have shown any sympathy for those kinds of actions.

The representative of the United States recently stated from this rostrum that the United States has given Cuba food and medications. That represents a strange logic. You feel you have to bring somebody to a state of starvation and destitution, and then you feel you have to show your magnanimity. The remittances from the United States to Cuba, as was stated by the United States representative, constitute more than a billion dollars. But, for some reason, he forgot to add

that the Government of the United States has rescinded and forbidden the flow of those remittances in the direction of Cuba.

Experience has shown that unilateral attempts by States to change the domestic political system of other States by exerting any kind of pressure on them, particularly military, political or economic pressure, are unacceptable and counterproductive. That is precisely why we view the policy of the United States against Cuba as a series of dangerous steps that have a negative impact on the security and stability not only of the region, but of the world as a whole.

My country demands the immediate lifting of the blockade against Cuba. We have always been in favour of the inalienable right of each State to determine its own model for the development of its own society. Belarus is pleased at the level of development achieved in our relations with Cuba. It is precisely the development of our commercial and economic transactions that is our priority in our bilateral relations. We have an open, reliable partner in Cuba — one ready to engage in a dialogue of equals. We will continue to take steps, therefore, to enhance that cooperation and to develop friendly relations with Cuba, and we urge all States to follow this example. In light of this position, Belarus supports the draft resolution placed before the General Assembly today for its consideration.

Mr. Chidyausiku (Zimbabwe): Like many others who have spoken before us, my delegation welcomes the report of the Secretary-General as contained in document A/59/302 (Parts I and II). Virtually all of the responses of Member States and the relevant organs and agencies of the United Nations system contained in the report have called for an immediate end to the unilateral embargo on Cuba. That clearly reflects the common view that the extraterritorial application of what is essentially a domestic law infringes on the sovereignty and legitimate interests of States and is inconsistent with the provisions of the Charter of the United Nations.

Zimbabwe remains strongly opposed to all forms of economic, commercial and financial sanctions and embargoes on States, which run counter to the spirit of the Charter of the Organization. We therefore view with concern the continued application of a unilateral policy of coercive economic, commercial and financial embargo against Cuba. The application of laws, in particular the Helms-Burton Act of 1996, that are intended to, inter alia, restrict the access of Cuba to markets, capital, investment and technology in order to pressure it into changing its political and economic system or orientation, is a flagrant violation of the principles of international law, the Charter of the United Nations, the tenets of the World Trade Organization, and numerous General Assembly resolutions. It is discriminatory in nature and undermines the principles of sovereignty, equality of States and fundamental human rights.

The United States Administration has, in an unprecedented manner, escalated the worst embargo policy against Cuba and the Cuban people as part of an imperial arrogance that blatantly violates the principles of international law, multilateralism and the will of the international community. In support of the principles of international law, the Charter of the United Nations and the promotion of trade, Zimbabwe will, as in previous years, vote in favour of draft resolution A/59/L.2, which is before us.

Mr. Own (Libyan Arab Jamahiriya) (*spoke in Arabic*): I would first like to join those who spoke before me in associating myself with the statement delivered by the delegation of Qatar on behalf of the Group of 77 and China with regard to this item.

The people of Cuba have been suffering from an unjust embargo that has lasted for over four decades. This has led to grave unlimited losses that have affected all segments of Cuban society, especially the vulnerable ones, such as children, women and the elderly. This embargo has also limited the Cuban Administration's ability to import foodstuff, agricultural products, medical equipment and the medicine required to treat the ill.

The imposition of the embargo and sanctions, which have been imposed in a unilateral and extraterritorial manner, often lead to grave consequences and are in violation of the declared, relevant principles of human rights and respect for humanity, as well as international law and all conventions that govern relations between States. Moreover, those sanctions run counter to the international call for free trade and the implementation of the Millennium Development Goals and other goals pertaining to development and the eradication of poverty.

The international community has repeatedly and unequivocally rejected financial, commercial and economic sanctions imposed on Cuba and on other countries and peoples. That has been expressed in its adoption of many international resolutions passed in the General Assembly of the United Nations in that regard.

The continuation of these oppressive measures, whose impact and consequences affect the parties in conflict as well as third parties, only exacerbates human suffering and entrenches the causes of conflict and hatred between peoples who have common interests. We must therefore take a realistic and rational approach towards finding appropriate, civilized solutions to the many problems that have led to these measures, which we reject.

It is abundantly clear from many cases before us that the use of sanctions and military force as a means of resolving disputes has become unacceptable and can only lead to further unnecessary complications.

It is our responsibility, as civilized societies, to reject all forms of violence, including the imposition of sanctions and embargoes. We must use the reason and wisdom that God has blessed us with and engage in a constructive dialogue to resolve all our disputes. This will not be difficult if there is the necessary political will.

In closing, I should like to reaffirm my country's support for the draft resolution submitted by Cuba and our support for all international efforts aimed at combating such oppressive measures.

Mr. Pérez Roque (Cuba) (*spoke in Spanish*): Millions of Cubans are closely following what is happening now in this Hall. Seventy per cent of them have had to endure all their lives the longest blockade in history, imposed by the Government of the United States on our homeland following the triumph of the Cuban revolution.

However, in voting today on the draft resolution entitled "Necessity of Ending the Economic, Commercial and Financial Embargo Imposed by the United States of America against Cuba", the 191 States Members of the United Nations will not only be taking a decision on an issue of interest to Cuba; they will also be voting in favour of respect for the Charter of the United Nations, for international law, for the sovereign equality of States and for the self-determination of peoples — to ensure that no Government, however mighty, can punish Cuba or any other country for trading with or investing in it.

Today we will be casting a vote against the extraterritorial enforcement of laws — a vote against arrogance and disdain for the rights of others.

I have here a curious document which the United States has been distributing to all delegations — except, of course, to Cuba. I am struck by the fact that the United States delegation, in its statement to the plenary, did not even try to say something new. Its representative read out virtually word for word the statement that was circulated to the rest of the delegations. As we see it, this proves that they are totally bankrupt of arguments. They find nothing new to say; they simply shamelessly repeat the same utterances from the same statement made in previous years. This document lies so much and so often that it deserves to be commented on. The United States maintains that "the United States trade embargo against Cuba is a bilateral issue that should not come before the General Assembly". It adds that it is clearly not a blockade, as the United States does not interfere with the trade between Cuba and other nations.

But the General Assembly knows that the truth is otherwise. It knows full well that this is not just an embargo and that the United States Government has unleashed a worldwide genocidal economic war on Cuba. It knows that Cuba is prohibited from exporting to the United States and from receiving American tourists. We are prohibited from gaining access to technologies produced in that country and prevented from importing any product, piece of equipment or raw material from the United States.

The Assembly also knows that the Torricelli Act, which has been in force since 1992 and is being strictly enforced, prohibits subsidiaries of United States companies in third countries from trading with Cuba. I will cite just a few examples.

The Canadian subsidiary of the United States company Picker International was unable to sell Cuba spare parts for X-ray equipment, because it is a branch of an American company. Even a Canadian company has been prohibited from selling spare parts for X-ray equipment to Cuba. French company Bull was unable to complete the sale to Cuba of ATM machines, because it was bought out by United States company Diebold — again, a French company, a company based

in France, cannot trade with Cuba. Refractarios Mexicanos, a company from Mexico, was purchased by the United States company Harbison Walker Refractory, and, from that time onward, was unable to continue selling to Cuba heat-resistant bricks used in furnaces for cement production. I could go on and on, giving endless examples that prove how companies based in other countries are prohibited from trading with Cuba.

The representative of the United States is well aware, even though he may deny it, that no one anywhere in the world can sell a product or a piece of equipment to Cuba if it contains more than 10 percent of United States components. The import of a quadruple veterinary vaccine, which was to have been supplied to our country by Dutch company Intervet, was halted when the United States Government informed that company that it could not sell the product to Cuba because it contained 10 per cent of an antigen made in the United States. At the same time, the United States Government forbids any company in the world from exporting a product or piece of equipment to the United States if it contains Cuban raw materials. A Japanese car manufacturer has to certify to the United States Government that the metals used to make the automobiles do not contain any Cuban nickel if they want to bring them into the United States. A European producer of preserves has to prove that no Cuban sugar was used in the manufacturing process if it wishes to export to the United States.

The American document also states that "The embargo regulations apply only to persons or entities subject to United States jurisdiction". If that is what it states, then why, if it applies only to persons or entities subject to United States jurisdiction, was Canadian citizen James Sabzali, after seven years of investigation, sentenced last February by a Philadelphia Federal Court to a year's probation and a $10,000 fine for having sold to Cuba some resins that purify the drinking water supplied to the Cuban population? Why should the citizen of another country be punished because he wanted to sell resin to Cuba that is used to purify drinking water?

Why does the Torricelli Act prevent vessels from the rest of the world from calling at Cuban ports, under the threat of being blacklisted and denied access to American ports for a period of six months? Why does the Helms-Burton Act, in force since 1996, penalize businesspeople from the rest of the world who attempt to engage in business deals with Cuba?

The General Assembly has been informed that on 4 May of this year, the United States Department of State sent a letter to the president of the Jamaican tourism company SuperClubs, warning him that if his business with Cuba did not terminate within 45 days he would be penalized under the Helms-Burton Act — which involved the denial of visas for him and his family to travel to the United States and the threat of future legal proceedings in United States courts.

How many businesspeople from countries represented in this Assembly have had to give up their intention of investing or dealing with Cuba because they have been threatened with deprivation of visas for themselves and their families when they wanted to enter the United States? And after all that I have mentioned here, which are just a few examples, the representative of the United States has told us that the blockade is a bilateral issue. He tried to tell us that all that was said in this debate — before Cuba had spoken — by 20 delegations representing their countries is not true. We need more respect for the intelligence and for the responsible way in which other delegations carry out their work.

The Government of the United States prevents Cuba from using the dollar as a currency for trading with the rest of the world. That is a fact. Our charges or payments in that currency are confiscated.

Is it or is it not true — I address this question to the representative of the United States — that your Government imposed a $100 million fine on the Swiss Bank UBS simply because the latter received dollar transfers from Cuba following the accrual of absolutely legal earnings from our tourism and trade?

As of June this year, the media controlled by the Miami-based terrorist groups of Cuban origin have unleashed a crude campaign aimed at frightening the banks that may have financial relations with Cuba. At the same time, we have been receiving continuous reports that United States authorities are exerting pressure on an ever-increasing number of banks from other countries in order to block currency transfers emanating from Cuba.

Finally, on 9 October, Daniel Fisk, Deputy Assistant Secretary of State for Western Hemisphere Affairs, in addition to recognizing the efforts of the

United States Government to boycott tourism to Cuba from Europe, Canada and other countries, announced that the United States had set up a Cuban Asset Targeting Group, with a view to freezing the movements of hard currency towards and from Cuba. I respectfully draw attention to the name of the organization that was set up — Cuban Asset Targeting Group — in order to prevent our country from importing goods, with its dollar income, and preventing any bank or company in the world from doing so.

As a result of the foregoing, we concluded that all necessary actions had to be promptly implemented in order to defend our country from the new acts of aggression that attempt to prevent the use of the dollars that we earn to pay for our imports. Therefore, 72 hours ago, our President, Commander-in-Chief Fidel Castro, informed the public of the decision to replace the circulation of the dollar with that of the convertible Cuban peso throughout the national territory as an immediate defensive response to the new forms of aggression and the additional plans to prevent Cuba from using the dollar.

Concerning this new episode in the United States blockade and our sovereign measures to defend ourselves, the Permanent Mission of Cuba will be conveying additional information to each delegation.

Would the United States delegation explain why Cuba does not receive and has never received a credit from the World Bank or from the Inter-American Development Bank? Because the United States Government prohibits it. In 2003, both international banks, which are neither American-owned nor legally under its control, loaned $14 billion to Latin America. Why was not a single dollar lent to Cuba to build houses, roads, hospitals or schools? Is it not Cuba, by chance, that is at the centre of the map of the Americas?

Can one blame the management of those banks, or do we have to acknowledge that they do not have the power to make those loans, because of the resistance and opposition of the United States Government?

It is true that over the past three years we have been able to purchase food from the United States. However, we still have to overcome the draconian obstacles placed in the way of those sales, such as the need for bureaucratic licenses, the obligation to pay in advance and in cash — with no possibility of receiving even private credits — and the prohibition on Cuban vessels carrying such goods.

The United States delegation also maintains that its Government has introduced measures greatly facilitating the export of medicines and medical supplies to Cuba. The representative of the United States also referred to figures that are false and appear to be based on fantasy. The General Assembly, however, knows that the truth is rather different.

The truth is that this year the United States Government prevented the Abbott company from selling Ritonavir and Lopinavir/Ritonavir to Cuba — two drugs that are necessary in the treatment of AIDS patients. As a result, Cuba had to purchase them from another country, paying six times as much in order to do so.

The truth — which must be told in this Hall — is that the Government of the United States imposed a fine of $168,500 on Chiron Corporation because a European subsidiary of that company had — supposedly by mistake — sold two children's vaccines to Cuba. The European subsidiary of Chiron Corporation sold those vaccines to Cuba, and the United States Government fined the company for having done so.

The text distributed by the United States in this Hall today states that Cuba is using the draft resolution to justify its own political and economic woes. If the United States Government is so sure that Cuba uses the issue of the embargo as a pretext, why does it not lift it and leave us without a pretext? The United States must respond; if it does not want to provide us with a pretext, let it eliminate the embargo.

In his statement this morning, the representative of the United States said that Cuba is trying to blame the United States and divert attention from the human rights situation in Cuba. He either made a mistake or he lied — on two counts. First, Cuba is not trying to blame the United States. The United States has brought the blame on itself; it does not need our help. Its actions are clear. It is clear to the Assembly that the embargo exists; it is made tougher every day, and is viciously applied, provoking almost unanimous repudiation by the international community.

Secondly, Cuba truly believes that the argument that the embargo can be justified as a measure to

improve human rights in Cuba makes no sense, because Cuba believes that the Government of the United States has less moral authority or credibility than any other country in the world to talk of human rights in other countries. Given the unilateral wars that that Government has undertaken in violation of international law and the Charter, ignoring the wishes General Assembly; given the crimes that it has committed and its mass bombings of civilian populations in other countries; given the fact that is it the principal guarantor and protector of crimes that are daily committed against the Palestinian people; given its inhuman and degrading treatment and torture of prisoners at the base at Guantanamo Bay and at Abu Ghraib, as well as disappearance of some of the prisoners there; the Cuban delegation believes that the United States should at least remain silent out of shame, and deal with its own problems, which include severe limitations on the public rights and freedoms of its own citizens.

The argument that the United States imposed the embargo in response to the decision by Cuba to defend itself from attempts by the United States to finance and organize an opposition within Cuba simply does not stand up. Those who are referred to in this country as dissidents are in fact mercenaries who receive money and directions from the Government of the United States, and Cuba has a legitimate right to defend itself from them. It is we, the people and the Government of Cuba, who are the dissidents — who are defying the pressure and the system imposed upon us by the United States.

I referred earlier to the fact that the representative of the United States spoke today in Spanish. He should bear in mind that a great many emigrants from Mexico and other Latin American countries die on the United States border as they try to emigrate — yet not a single word has been said in defence of their rights.

The United States text accuses us of using the draft resolution to justify our poor economic policies. I believe that the United States text attempts to justify an embargo that is simply unjustifiable in the eyes of the Assembly.

Why does the United States Government not lift the embargo against Cuba? Because it is afraid. It is afraid of our example. It knows that if the embargo is lifted, Cuba will make dramatic progress in its socio-economic development. It knows that we will provide further evidence of the great potential of Cuban socialism — the potential, not yet fully tapped, of a country without any kind of discrimination, with social justice and human rights for all citizens, not just for the few. The United States Administration governs a large and mighty empire, but it is afraid of the example of a small rebellious island.

We are gathered here just five days away from the elections in this country — elections which we all await with secret hope. It is true that the past four years have been terrible for the world. Cuba, however, is looking forward with optimism and confidence. It knows that it is right. It knows that time is on its side. It can see the ever-increasing rejection of the embargo within the United States. It has not forgotten that the embargo has cost us more than $79 billion. Cuba knows that if the embargo is lifted, within a few years there will be a tremendous improvement in the living standards of its citizens. It knows, for example, that in 10 years' time our country could have built 1 million new houses, providing shelter for some 4 or 5 million Cubans.

Cuba also knows that if the embargo is not lifted and there is no end to the hostility that has prevailed for over four decades, the situation will continue to be difficult — although not impossible. Our people are sure that there is no human or moral constraint capable of hindering their advance towards a more prosperous and just country.

It is true that for the past 12 years the United States Government has disregarded the resolutions adopted, with ever-increasing support, by this Assembly, demanding the end of the embargo against Cuba. But that does not diminish the great importance of the act to be undertaken today by each and every delegation on behalf of its people.

The Government of the United States has been the only one today to defend the embargo. Furthermore, it is the only one publicly to have expressed the hope that President Fidel Castro would not recover from the fracture that he suffered as a result of a fall. We have never before seen such a complete lack of courtesy and moral credibility — even from an opponent.

But it does not matter. President Fidel Castro has already passed into history as a symbol of the resistance of peoples against imperialism and as a symbol that a better world is possible. As for those

who today defend the blockade on Cuba and who do not want to see any improvements — well, no one will remember them tomorrow.

On behalf of the Cuban people, whose sons and daughters have gone out to heal, to teach, to build and to fight side by side with every country that ever needed Cubans; on behalf of the memory of the 2,000 Cubans who laid down their lives fighting colonialism and apartheid in Africa; on behalf of the 22,474 Cuban health workers currently rendering services in 67 countries of the third world; in the name of the Cuban teachers, who are now teaching over 17,000 young people from 110 countries in our schools free of charge; in the name of five young Cuban heroes who are enduring cruel and unjust prison terms in the United States because they were fighting terrorism; in the name of the Cuban children who are entitled to live and enjoy a future different from that which their parents had to undergo and fight for in their homeland — in sum, on behalf of a small country that is harassed because it wants to be free — I would respectfully ask the Assembly once again to vote in favour of the draft resolution submitted by Cuba.

The President (*spoke in French*): We have heard the last speaker in the debate on this agenda item.

We shall now proceed to consider draft resolution A/59/L.2.

Before giving the floor to the representative of the Russian Federation, who wishes to speak in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Chulkov (Russian Federation) (*spoke in Russian*): The Russian Federation, like the overwhelming majority of other United Nations Member States, strongly condemns the United States blockade against Cuba and favours its lifting.

Opposition on this issue is consistent and has not changed. At successive General Assembly sessions, the Russian Federation has voted in support of the resolution calling for the ending of the economic, commercial and financial embargo imposed by the United States of America against Cuba. The Russian Federation has consistently adhered to a position regarding the inadmissibility of applying unilateral discriminatory measures of an extra-territorial nature in international relations.

In today's rapidly globalizing world, any attempts to isolate a given country are, in our view, counter-productive. We are compelled to note with regret that the recent actions by the United States administration, including its decision to tighten the unilaterally imposed sanctions against Cuba, are not helping to normalize the Cuban-United States relationship. In this connection, we are concerned at the latest step in the exacerbation of Cuban-United States relations, which is leading to increased confrontation between the two countries and is hampering the establishment of a constructive dialogue.

The coercive extraterritorial measures proclaimed and unilaterally adopted by the United States administration run counter to the provisions of the United Nations Charter and the recognized principles of international law. Their extraterritorial consequences seriously impinge on the sovereignty of other States, the legitimate interests of persons — natural and juridical — that are subject to that jurisdiction, and create impediments to free trade and to the free movement of capital at the regional and international levels.

We are convinced that the lifting of the embargo and normalization of the United States-Cuban relationship on the whole would help to improve the situation around Cuba and promote its integration into world and regional processes. We believe that that, in turn, would stimulate democratic and socio-economic reforms on the island.

The continuation of the commercial, economic and financial embargo against Cuba by the United States is not in keeping with the spirit of the times and hampers the formation of a new, just world order in the twenty-first century, one based on the fundamental principles of the United Nations Charter and the primacy of international law.

Guided by the fundamental principles of the Charter regarding the inadmissibility of discriminatory measures or interference in the affairs of sovereign States, the Russian Federation, pursuant to its position taken at previous sessions of the General Assembly, will also vote at this current session in support of draft resolution A/59/L.2, calling for the lifting of the embargo and for the normalization of Cuban-United States relations, which would make it possible to turn a

new page in the relationship between those two countries and make a worthy contribution to the establishment of peace, concord and stability in the region.

The President (*spoke in French*): We have heard the only speaker in explanation of vote before the voting.

The General Assembly will now take a decision on the draft resolution contained in document A/59/L.2. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Palau, United States of America

Abstaining:

Micronesia (Federated States of)

Draft resolution A/59/L.2 was adopted by 179 votes to 4, with 1 abstention (resolution 59/11).

The President (*spoke in French*): Before giving the floor representatives wishing to speak in explanation of vote on the resolution just adopted, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Hamburger (Netherlands): I have the honour to speak on behalf of the European Union. The candidate countries Bulgaria, Romania and Croatia and the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia align themselves with this statement.

The European Union believes that the United States trade policy towards Cuba should primarily be a bilateral issue without extraterritorial implications for third countries. Therefore, the European Union again reiterates its opposition to the extraterritorial aspect of the United States embargo that has been implemented in accordance with the Cuban Democracy Act of 1992 and the Helms-Burton Act of 1996.

The European Union cannot accept that unilateral measures imposed by the United States on specific countries limit its economic and commercial relations with third countries, in this case Cuba. Therefore, in

November 1996, the European Union adopted a regulation and a joint action to protect the interests of natural and legal persons from the European Union against the extraterritorial effects of the Helms-Burton Act.

In 1998, during their summit in London, the European Union and the United States agreed on a package of measures involving, inter alia, United States agreement to suspend titles III and IV of the Helms-Burton Act and not to adopt any further extraterritorial legislation of that kind, as well as an agreement on both sides to increase investment protection. The European Union expects that the United States will continue to act in accordance with the commitments made.

The European Union's policy towards Cuba, based on its Common Position adopted in 1996, is clear and coherent. The main objective of the European Union in its relations with Cuba is to encourage a process of peaceful transition to pluralist democracy and respect for human rights and fundamental freedoms, as well as a sustainable economic recovery and an improvement of the living standards of the Cuban people. The European Union underlines that it is willing to cooperate with Cuba in those fields on the basis of a dialogue with the Cuban Government and Cuban civil society, especially in the field of human rights. Constructive engagement still remains the aim of the European Union's policy towards Cuba. We urge the Cuban authorities to respond accordingly.

The European Union strongly condemns the current human rights situation in Cuba, which has not shown any significant improvement since 2003. The ongoing violations of human rights and the continuing detention of a large number of prisoners of conscience — including those arrested and convicted in March and April 2003 — are still major concerns for the European Union. The European Union calls for the immediate release of or amnesty for all those detained for political reasons and appeals to the Cuban authorities to cooperate fully with international human rights bodies and mechanisms.

The European Union rejects the restrictions imposed on the embassies of most European Union member States by the Cuban authorities, which impede diplomatic contacts and constitute a de facto violation of the Vienna Convention on Diplomatic Relations.

The negative influence of the economic, commercial and financial embargo imposed by the United States of America, as well as Cuban domestic economic policy, seriously hamper the economic development of the island and negatively affect the daily life of the Cuban population. With regard to the latter — that is, Cuba's domestic economic policy — we are concerned about the imposition of new restrictions on private enterprise with negative economic consequences for many Cuban citizens.

With regard to the United States of America, we repeat our view that the opening of the Cuban economy would benefit all people and express our rejection of all unilateral measures against Cuba, which are contrary to commonly accepted rules of international trade. With regard to Cuba, the European Union urges the Cuban authorities to bring about rapid, lasting and substantial improvements in the fields mentioned, in particular with a view to ensuring the full respect for all human rights.

For all the foregoing reasons, and in spite of its serious criticism of Cuba, the European Union unanimously voted in favour of the resolution that has just been adopted.

Mr. Sardenburg (Brazil) (*spoke in Spanish*): I have the honour to speak on behalf of the countries of the Common Market of the South (MERCOSUR) — Argentina, Paraguay, Uruguay and Brazil — and the associated countries Bolivia, Chile and Peru. As in previous years, MERCOSUR members and associated countries voted in favour of the resolution that the Assembly has just adopted.

The application of coercive unilateral measures does not contribute to the promotion of democracy or respect for and protection of human rights. Differences between States should be resolved through dialogue and understanding, in a constructive spirit. Coercive measures, such as sanctions or embargoes, are exceptions that should be resorted to only when all other means have been exhausted, and they must be firmly grounded in international law. The extraterritorial enforcement of national legislation runs counter to the need to foster dialogue and ensure fulfilment of the purposes and principles of the Charter of the United Nations and infringes upon the sovereignty of States.

Sanctions and embargoes that are not in conformity with the norms of international law serve

only to heighten tension. If, as in the present case, they affect the interests of third States, the international community has even greater reason to be concerned and to speak out. In addition to having been repeatedly rejected by the General Assembly, the economic, commercial and financial embargo imposed by the United States of America has been repudiated at a series of international forums, such as the Organization of American States, the Rio Group, the Ibero-American Summit and the Latin American Economic System. The embargo is equally incompatible with the legal obligations of members of the World Trade Organization. Insisting on continuing to impose this kind of punitive measure — compounded recently by the unilateral measures taken in May this year — is an exercise that is injurious to everyone and that weakens our ability to tackle the common challenges of our time.

The countries of MERCOSUR and its associated countries echo the international community's almost unanimous rejection of the promulgation and application of such unilateral and extraterritorial coercive measures. Apart from the legal aspects, those measures do not promote the full reintegration of Cuba into the region of the Americas.

Mr. Omura (Japan): Japan shares the concern expressed by many delegations today regarding the extraterritorial application of jurisdiction arising from the Helms-Burton Act of the United States, which is likely to run counter to international law. My Government has been closely following the implementation of the legislation as well as the circumstances surrounding it, and its concerns remain unchanged. For that reason, my delegation voted in favour of draft resolution A/59/L.2. While Japan supports the resolution that has been adopted, as my delegation stated here last year on the same occasion, it has some questions as to whether the General Assembly is, in fact, the most suitable forum in which to address the very complex issue of the United States embargo against Cuba.

Japan believes that it is desirable for both countries to seek a solution through bilateral dialogue, and thus calls upon them to strengthen efforts to that end.

Mr. Aspelund (Iceland): Iceland voted in favour of the draft resolution. Iceland believes that it is not in the best interest of the multilateral system for States to apply unilateral trade sanctions outside the United Nations system. However, I would like to make it clear that Iceland's vote in favour of the resolution is not intended to be, in any way, an indication of support for the policies of the present Government of Cuba.

Iceland strongly condemns the human rights situation in Cuba, in which many fundamental rights under United Nations conventions are violated on a regular basis. Iceland supports the call for free media, fair trials, freedom of expression, the release of political prisoners and an end to arbitrary detentions — in other words, a full application of civil and political rights.

Mr. Sawford (Australia): Australia shares concerns about the state of human rights and political freedoms in Cuba, but we do not consider that isolating Cuba through economic sanctions is an effective means of achieving human rights and political reform.

Australia has consistently expressed its opposition, as a matter of principle, to the promulgation and application by States Members of the United Nations of laws and measures the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction, as well as freedom of trade and navigation.

In Australia's view, such laws and measures are not justified by the principles of international law and comity. Australia is therefore concerned about the extraterritorial aspects of the Helms-Burton Act of 1996. For those reasons, Australia has again voted for the resolution submitted under the agenda item.

Mr. Strømmen (Norway): The Norwegian Government believes there is a clear distinction between unilateral measures, on the one hand, and sanctions adopted by the international community, through the United Nations, on the other. In our view, no country should impose its legislation on third countries. Norway has, therefore, once again voted for the resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba.

However, the embargo cannot in any way be used as a justification for the lack of civil and political rights in Cuba, and the continued persecution of peaceful dissidents, writers and journalists that takes place on the island. The human rights situation in Cuba

contributes to the country's isolation within the international community. We urge the Cuban Government to release all political prisoners.

The President (*spoke in French*): We have heard the last speaker in explanation of vote.

The Cuban delegation has asked to speak in exercise of the right of reply.

May I remind members that, in accordance with General Assembly decision 34/401, statements in exercise of the right of reply are limited to 10 minutes for the first intervention and to five minutes for the second and should be made by delegations from their seats.

I give the floor to the representative of Cuba.

Mr. López Clemente (Cuba) (*spoke in Spanish*): Once again we have heard an explanation of vote from the representative of the European Union (EU). The EU has explained that its vote has nothing to do with the sufferings imposed on our people by the economic blockade of all of these years, but that it has to do with the blockade's extraterritorial aspect. We all know that.

The EU has expressed concern about human rights in Cuba, and that has become a paradigm for the defence of mercenaries at the service of a foreign Power, who are trying to turn their homeland into a United States protectorate. The EU tries to ignore the grave economic damage caused to our country and others by the blockade, and the sufferings of our people, who have undertaken, with great sacrifice, to establish a healthier and more just and equal society. It pretends to overlook the high levels of culture, education, social protection, and medical coverage that the people have achieved in spite of being subject to blockade and the aggressive policy pursued by the United States for more than 40 years. That policy has included military aggression, psychological war, biological war and terrorist acts, among others.

The representative of the EU has tried to set aside all those facts, and that is part of the double standard that applies in the world. The EU expresses its concern about human rights in third-world countries and condemns them for supposed violations of those human rights and so-called democratic norms.

The same delegations, however, try to avoid any reference to the violations of human rights committed, for example, in the prisons of some countries of the third world, or ignore electoral fraud when such violations are committed by a major ally.

The representatives of the EU also need to address their own problems of xenophobia, domestic violence, gender inequality, racism, drugs, the disintegration of their societies, and many other social problems that they face. Cuba rejects, word for word, the statement made by the representative of the EU, and repeats that we do not recognize the moral authority of the EU to make such statements, which are based on hypocrisy and double standards. The EU needs to change its policy, respect our people and remedy its vacillating position, which lacks principle where Cuba is concerned.

Cuba will continue to pursue the path it embarked on more than 40 years ago, for the benefit of its people, and in spite of opposition and aggression from the greatest super-power in history. We know that some of the representatives who have spoken here today have, to varying degrees, some misunderstandings. However, we also know that the vast majority of the world's people respect and admire what we do and what we have accomplished.

The Cuban people rose up to create its present and its future, and it will never turn back.

The President (*spoke in French*): May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 28?

It was so decided.

The meeting rose at 1 p.m.